

REMARKS

Claims 1-9 are all the claims pending in the application. Claims 8 and 9 are canceled. Therefore, claims 1-7 are all the claims pending in the application.

Applicant thanks the Examiner for acknowledging the claim for foreign priority and receipt of the priority document was received in U.S. Application No. 08/816,138.

The Examiner indicated that an Information Disclosure Statement must be received listing the references of record in the parent application (USP 5,920,530). Applicant notes that a separate Information Disclosure Statement citing reference of record in the patent for which reissue is sought is not required. Indeed, if it were required, it would be redundant, since the copy of the underlying U.S. patent filed with the reissue application already contains this information. However, in order to accommodate the Examiner's request for a listing of all references cited in the present application, Applicants are submitting Form PTO-SB-08 (modified) listing the references for the Examiner to review and initial.

The Examiner notes that a Consent of Assignee is required to be submitted under 37 C.F.R. § 1.172. Attached, please find the executed Consent of Assignee.

The prior art rejections are summarized as follows:

1. Claims 8 and 9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Murakami (USP 4,761,775).

Applicants are canceling claims 8 and 9 without prejudice and/or disclaimer and in favor of prosecuting the subject matter of these claims in a continuation reissue application. Therefore, the rejection of claims 8 and 9 is moot.

AMENDMENT UNDER 37 C.F.R. § 1.111
US Application No. 09/899,104

Q65389

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Submitted herewith is a Petition for Extension of Time with fee.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Raja Saliba
Registration No. 43,078

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: May 29, 2003

AMENDMENT UNDER 37 C.F.R. § 1.111
US Application No. 09/899,104

Q65389

APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 8 and 9 are canceled.